

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

In re MedStar Health Data Security Incident

Case No. 1:24-cv-01335-BAH

CLASS ACTION

JOINT MOTION TO STAY CASE

Plaintiffs Gwendolyn Riddick, David Richter, Tina Goldsmith, Tracy Sanders, and Evelyn Rios (together, “Plaintiffs”), individually and on behalf of all others similarly situated, and Defendant MedStar Health, Inc. (“Defendant”) (together, “Parties”), move to stay the case, pending mediation.

1. On May 7, 2024, Plaintiff Riddick filed a putative class action in the District of Maryland (“Riddick Action”) against Defendant arising from a cybersecurity incident (“Security Incident”) (ECF No. 1).

2. Thereafter, Plaintiffs Richter, Goldsmith, Sanders, and Rios filed their respective actions in this Court arising out of the Security Incident (together with the Riddick Action, “Related Actions”).

3. On May 29, 2024, the Related Actions were consolidated (ECF No. 29).

4. On November 7, 2024, the Court entered an Order appointing Ben Barnow, Jeff Ostrow, Danielle Perry, and Jason Rathod as Interim Co-Lead Class Counsel and ordering them to provide the Court with a proposed deadline for the filing of the Consolidated Complaint within 14 days (ECF No. 25).

5. On November 21, 2024, Interim Co-Lead Class Counsel proposed a deadline of December 19, 2024, for the filing of a Consolidated Complaint.

6. The Parties seek to resolve the litigation through mediation.

7. The Parties have scheduled mediation for March 26, 2025, with mediator Ben Picker.

8. The Parties respectfully ask the Court to stay the case and any subsequently filed cases stemming from the Security Incident, pending the outcome of mediation.

9. The Parties further request to stay any pending deadlines in the instant action, including the deadline for the filing a Consolidated Complaint.

10. “The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997); *Landis v. North Am. Co.*, 299 U.S. 248, 254-55 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”); *Advanced Bodycare Sols., LLC v. Thione Int'l, Inc.*, 524 F.3d 1235, 1241 (11th Cir. 2008) (“district courts have inherent, discretionary authority to issue stays in many circumstances”).

11. Good cause exists for the granting of this motion, it is not made for improper purpose or delay, and it serves the interests of judicial economy.

12. The Parties will advise the Court of the outcome of mediation within five days of such mediation.

13. Accordingly, the Parties request that the Court stay the case and any subsequently filed cases stemming from the Security Incident, pending mediation.

(signature block on next page).

Dated: December 19, 2024

/s/ Jeff Ostrow signed with permission given
to E.Scully

Jeff Ostrow*

KOPELOWITZ OSTROW P.A.
1 W. Las Olas Blvd., Ste. 500
Fort Lauderdale, FL 33301
Tel: (954) 525-4100
ostrow@kolawyers.com

Jason S. Rathod
MIGLIACCIO & RATHOD LLP
412 H Street NE
Washington, D.C. 20002
Tel: 202-470-3520
jrathod@classlawdc.com

Ben Barnow*
BARNOW AND ASSOCIATES, P.C.
205 West Randolph Street, Ste. 1630
Chicago, IL 60606
Tel: 312-621-2000
Fax: 312-641-5504
b.barnow@barnowlaw.com

Danielle L. Perry*
MASON LLP
5335 Wisconsin Avenue, NW, Ste. 640
Washington, D.C. 20015
Tel: (202) 429-2290
dperry@masonllp.com

Interim Co-Lead Class Counsel

*pro hac vice

Respectfully submitted,

/s/ Elizabeth Scully

Elizabeth Scully

BAKER HOSTETLER

1050 Connecticut Ave., NW, Ste. 1100
Washington, D.C. 20036
Tel: (202) 861-1698
escully@bakerlaw.com

Attorneys for Defendant